

**January 12, 2004**

**Notice of corrections to 2003 Form ND-2 instruction booklet:  
National Guard/Reserve member exclusion for federal active duty**

There is an error in the 2003 Form ND-2 instruction booklet. The error pertains to the new compensation exclusion allowed to National Guard and U.S. armed forces reserve members who were called to federal active duty. The error appears on pages 2 and 10 of the booklet where it is stated that the exclusion is for federal active duty service performed *outside North Dakota*. This is incorrect. The exclusion is allowed regardless of where the federal active duty service was performed.

The following shows where the errors appear and the corrections to them:

- **Error on page 2 of 2003 Form ND-2 instruction booklet**

On page 2 of the 2003 Form ND-2 instruction booklet, in the article “New exemption for National Guard and reserve members,” the second sentence reads as follows:

Compensation received for federal active duty service performed outside North Dakota is exempted to the extent it is included in federal taxable income.

Correction: The second sentence should read as follows:

Compensation received for federal active duty service is exempted to the extent it is included in federal taxable income.

- **Error on page 10 of 2003 Form ND-2 instruction booklet**

On page 10 of the 2003 Form ND-2 instruction booklet, in the instruction for line 22 (“Other subtract adjustments”), the first bulleted paragraph reads as follows:

Compensation received by a National Guard or U.S. armed forces reserve member for federal active duty outside North Dakota. Do not include compensation for attending annual training, basic military training, professional military education, or for voluntary active duty.

Correction: The first bulleted paragraph in the instruction for line 22 should read as follows:

Compensation received by a National Guard or U.S. armed forces reserve member for federal active duty. Do not include compensation for attending annual training, basic military training, professional military education, or for voluntary active duty.

***Questions may be directed to:***

*Individual Income Tax Section  
Office of State Tax Commissioner  
600 East Boulevard Avenue, Dept. 127  
Bismarck, ND 58505-0599*

*Phone: 701-328-1032  
Fax: 701-328-1942  
E-mail: [individualtax@state.nd.us](mailto:individualtax@state.nd.us)*



# North Dakota Office of State Tax Commissioner 2003 Individual Income Tax

**Rick Clayburgh**  
Tax Commissioner

## Form ND-2

Dear Fellow Taxpayer,

North Dakota tax law provides for two methods of calculating the individual income tax—one on Form ND-1 (Main Method) and the other on Form ND-2 (Optional Method). This booklet contains Form ND-2.

Your choice of forms will affect the amount of tax you have to pay. The majority of taxpayers—around 95 percent of them—will have a lower tax on Form ND-1. For help in choosing the right form, turn to page 3 and read **Which form to use**.

When you use electronic services you help us maximize our capabilities. Our Web site, [www.ndtaxdepartment.com](http://www.ndtaxdepartment.com), offers many of our tax forms and other informational publications, as well as an area for Frequently Asked Questions. I encourage you to visit our Web site to download forms and get answers to your questions. You also have the option of paying your tax liability by credit card—see page 2 for details.

Suggestions from taxpayers provide us with valuable input. Feel free to let us know what you think we are doing well, as well as what we can do to improve our service. Please phone, write, or e-mail your comments to me using the contact information on the back cover of this booklet.

Thank you,

**RICK CLAYBURGH**  
TAX COMMISSIONER

### Are you using the right form?

*If not, you may be paying too much tax!*

*See page 3  
for more information.*

### Do you owe Use tax?

*Did you purchase goods in another state? If you did, you may have to pay a use tax.*

*See inside front cover for more information.*



Pay your taxes with your credit card. See page 2 for more information.



If you need forms or want to find out more about North Dakota's taxes, visit our Web site



[www.ndtaxdepartment.com](http://www.ndtaxdepartment.com)

## This booklet contains the following forms—

- Form ND-2
- Schedule 2
- Schedule 3

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If you need a form or document mentioned in this booklet, you may obtain it from our Web site at **[www.ndtaxdepartment.com](http://www.ndtaxdepartment.com)**, or request it by phone, e-mail, fax, or letter—see the back cover of this booklet for phone numbers and addresses.



## Taxpayer Bill of Rights

You may get a copy of the North Dakota Taxpayer Bill of Rights by contacting the Office of State Tax Commissioner or visiting our Web site at **[www.ndtaxdepartment.com](http://www.ndtaxdepartment.com)**

## Do you have a use tax reporting and payment requirement?

**D**id you purchase goods from outside North Dakota or outside the U.S?

If you did, you may have to pay North Dakota sales tax (and applicable local sales tax) on those goods.

Technically, what you have to pay is called a use tax. It applies to the same goods which are subject to North Dakota's sales tax. The use tax applies whether you purchase goods in person at an out-of-state location, or by mail, phone or the Internet.

If you didn't pay any sales tax, or you paid tax to another country, at the time of purchase, you must pay the use tax at North Dakota's sales tax rate on the total purchase. Or, if you did pay sales tax to another state at the time of purchase, but you paid less than what you would have paid in North Dakota, the difference is the amount of use tax you must pay. If applicable, local sales taxes must be included in the calculation.

If this applies to you, you must complete and file a **North Dakota Use Tax Return**. To obtain one, call the North Dakota Sales and Special Taxes Division at **(701) 328-3389**, or download it from our Web site at **[www.ndtaxdepartment.com](http://www.ndtaxdepartment.com)**.

**Privacy Act information.** In compliance with the Federal Privacy Act of 1974 (Public Law 93-579), the disclosure of an individual's social security number on the North Dakota income tax return and any required schedules is mandatory and is required under subsections 1 and 7 of North Dakota Century Code § 57-38-31. An individual's social security number is used as an identification number by the North Dakota Office of State Tax Commissioner for file control and recordkeeping purposes, and for cross-checking an individual's files with those of the Internal Revenue Service.

# Changes affecting you and your income tax

Developments, updates, and items of interest relating to individual income tax

## Effects of 2003 federal law changes

On May 28, 2003, President Bush signed into law the Jobs and Growth Tax Relief Reconciliation Act of 2003 (P.L. 108-27). North Dakota's income tax laws automatically recognize any change in the Act that affects the calculation of federal taxable income, which is the starting point in the calculation of North Dakota taxable income. Therefore, the following items in the Act will automatically reduce North Dakota taxable income: (1) The increased standard deduction for married taxpayers filing jointly; (2) The 50-percent additional first-year depreciation; and, (3) The increase in the Section 179 expense deduction.

The changes made by the Act to the child tax credit (including the child tax credit refund), the federal income tax brackets and rates, the alternative minimum tax exemption amounts, the capital gains tax rates, and the calculation of the tax on dividends will not affect the calculation of North Dakota taxable income if Form ND-1 is used. However, these changes will generally reduce the amount of the federal income tax deduction that is allowed on Form ND-2.

## 2003 legislative rundown

Following is a summary of legislation passed by the 2003 legislature affecting North Dakota's individual income tax.

### Seed capital investment tax credit provisions are revised

Effective for tax years beginning after December 31, 2002, the following changes were made to the seed capital investment tax credit provisions:

- The credit rate was increased from 30 percent to 45 percent.
- The total investment made in a tax year by a taxpayer that is eligible for the credit was increased from \$50,000 to \$250,000.

- With respect to the credit allowed for investments made in one tax year, the amount that may be claimed in any tax year was decreased from 50 percent to one-third of the allowable credit.
- The \$250,000 limit on the amount of credits allowed for investments made in a single qualified business during a calendar period was repealed.

(House Bill 1019)

### Disclosure to U.S. Census Bureau authorized

Effective March 26, 2003, the income tax confidentiality law was changed to add a new exception allowing the tax commissioner to disclose an individual's social security number and county of residence (as reported on the individual's income tax return) to the U.S. Census Bureau to be used in estimating the annual shifts in the state's population.

(House Bill 1115)

### State civil relief protections for National Guard

Effective March 12, 2003, if a National Guard member is ordered to state active duty by the governor for 30 or more consecutive days, the protections provided by the federal Soldiers and Sailors Civil Relief Act of 1940 will be recognized for state purposes. Those protections affecting North Dakota income tax law are as follows:

- If the ability to pay North Dakota income tax is significantly impaired because of the active duty, the collection of the tax must be deferred for a period not exceeding six months after the termination of the active duty. This applies whether the tax becomes due prior to or during the period of active duty.
- No penalty or interest accrues on the tax due during the deferral period.
- The time period for collection of the deferred tax is suspended for the period of active duty plus nine months beginning with the day following the end of the active duty.

(House Bill 1151)

### Port and commerce authority property and bonds exempted from income tax

Effective August 1, 2003, North Dakota law governing counties was changed to authorize the creation of port and commerce authorities by political subdivisions in North Dakota. Any property in North Dakota acquired by a port or commerce authority, and any income derived from the ownership, operation, or control of the property, is exempt from state taxation to the same extent as other property used for public purposes. Bonds issued by a port or commerce authority, together with any interest from them, are also exempt from income tax. (Port authority—House Bill 1207, effective August 1, 2003; Commerce authority—House Bill 1426, effective for tax years beginning after December 31, 2002.)

### Amnesty program mandated

The 2003 legislature added a provision to the appropriations bill of the North Dakota Office of Management and Budget requiring the tax commissioner to conduct a one-time amnesty program beginning before December 31, 2003. (Senate Bill 2015)

*The tax commissioner established a tax amnesty program for the period October 1, 2003, through January 31, 2004. For more information, contact the Office of State Tax Commissioner.*

### Rounding of numbers statutorily authorized

Effective August 1, 2003, taxpayers may round to the nearest whole dollar all final numbers entered on their income tax returns. For this purpose, if cents equal \$0.01 through \$0.49, the cents must be disregarded, and if cents equal \$0.50 through \$0.99, the number must be rounded to the next whole dollar amount. (Senate Bill 2099)

### New or expanding business income exemption now allowed on Form ND-1

Effective for tax years beginning after December 31, 2002, the new or expanding business income exemption (N.D.C.C. Chapter 40-57.1-04) is allowed on Form ND-1. (Senate Bill 2099)

### North Dakota domestic dividend exclusion repealed

Retroactively effective for tax years beginning after December 31, 1999, the North Dakota domestic dividend exclusion is repealed. (Senate Bill 2099)

### New exemption for National Guard and reserve members

Effective for tax years beginning after December 31, 2002, a new income exemption is available to National Guard and U.S. armed forces reserve members who are called to federal active duty. Compensation received for federal active duty service performed outside North Dakota is exempted to the extent it is included in federal taxable income. Compensation received for attending annual training, basic military training, professional military education, or voluntary active duty is not eligible for the exemption. The exemption is allowed on both Form ND-1 and Form ND-2. (Senate Bill 2367)

### Pay your tax by credit card

As a convenient payment option, you may pay your balance due on your return using your MasterCard®, American Express® Card, Discover® Card, or VISA® Card. Credit card payments may be made by telephone or over the Internet through Link2Gov Corporation, a private credit card payment service provider. A convenience fee will be charged to your credit card by Link2Gov Corporation, which is retained by the corporation for its services—the State of North Dakota does not receive any part of this fee.

To pay your individual income tax by credit card, go to Link2Gov Corporation's web site at [www.ndtaxpayment.com](http://www.ndtaxpayment.com) or call them toll-free at **1-888-ND-TAXES** (1-888-638-2937).

### Check the status of your refund

If you did not elect to use direct deposit, you may check the status of your refund by calling **(701) 328-3450** or e-mailing us at [individualtax@state.nd.us](mailto:individualtax@state.nd.us). You may also contact us by letter or fax—see the back cover of this booklet for the address and fax number. If you used direct deposit, please contact your bank first (or check your bank statement) to see if your refund has been deposited into your account before contacting our office. If you do contact us, you must provide the following information:

- Your name (and spouse's name, if joint return).
- Your social security number (and spouse's social security number, if joint return).
- Tax year.
- Your filing status from your return.
- **Exact** amount of refund shown on return (including cents if shown).

This information must match our records or no information will be released to you due to our confidentiality law. **Allow 6 weeks after filing your return before contacting us about your refund.**

### Checklist for trouble-free filing

A complete and accurate return ensures the fastest processing of your return, and a quick turnaround of a refund. Errors or omissions in the return mean delayed processing and possibly having to contact you to obtain a missing signature or document.

**Important:** An incomplete or unsigned return does not constitute a properly filed return, and it will be returned to you. This could result in late filing and payment charges if you resubmit the return after the due date.

### Before you file, use this checklist to avoid the most common errors—

- ☐ **Write legibly**  
On many returns, we are unable to read the information, resulting in recording the wrong information.
- ☐ **Enter your correct social security number**  
We use this number to properly identify your return. If you are filing a joint return, also enter your spouse's social security number.
- ☐ **Check your math**  
Human errors happen, and math errors are one of the most common. Please double-check your numbers.
- ☐ **Include all Form W-2s**  
Form W-2s are often omitted. Include a copy of all your W-2s. Also include a copy of any Form 1099 showing North Dakota income tax withholding.
- ☐ **Use the right address**  
Amazingly, thousands of North Dakota returns are mailed to the Internal Revenue Service by mistake each year. Use the preprinted envelope in this booklet or use the address provided on page 5 of this booklet.
- ☐ **Use the right postage**  
Insufficient postage on an envelope means the U.S. Postal Service will return it to you.
- ☐ **Sign the return**  
Each year we receive thousands of unsigned returns. Before we can process them, we must return them to taxpayers for their signatures. This will result in a late-filed return if the return is mailed back to us after the due date.



# 2003 Form ND-2 instructions

General and specific line instructions for Form ND-2 (Optional Method)



*Are you sure Form ND-2 is the right form to use?  
If not, you may pay too much tax!*

*See **Which form to use** on this page before using Form ND-2.*

## General instructions

This section provides information on selecting the right form, filing requirements, procedures for obtaining an extension, estimated tax requirements, correcting a return, and other general information.

## Which form to use

It is important to note that North Dakota income tax law provides for two methods of calculating the individual income tax. The two methods are implemented on two different forms—Form ND-1 and Form ND-2. (This booklet contains Form ND-2 and its instructions.)

### ***Your choice of forms will affect the amount of your tax!***

The two forms (and their respective calculation methods) are governed by different provisions of North Dakota income tax law. The calculation method and tax rates are different under each method. Your choice of forms is important because ***you will calculate a different tax under each one!*** For the majority of individuals, the tax will be lowest on Form ND-1.

### ***So, which form should I use?***

Generally, you should use Form ND-1. Over 95 percent of all filers will calculate a lower tax on Form ND-1 than on Form ND-2. If you used Form ND-2 last year, do not automatically use Form ND-2 for this year, but check out Form ND-1 to make sure you are paying the lowest tax.

### ***Who should use Form ND-2?***

Very few individuals—less than 5 percent—will benefit from using Form ND-2. Form ND-2 should be used only if it produces a tax that is lower than the tax calculated on Form ND-1. Although you calculate a North Dakota taxable income on both forms, do not base your choice on this number alone. You must also consider the tax rates which are much lower on Form ND-1.

### ***Shouldn't I use Form ND-2 if I have one of the deductions or credits on it?***

Not necessarily. There are a number of special deductions, exclusions, and credits that may be claimed only if Form ND-2 is used. As a general rule, they are usually not enough to offset the higher tax rates on Form ND-2. Some taxpayers will benefit from using Form ND-2, but we estimate that they make up less than 5 percent of all individual filers.

If in doubt as to which form to use, use Form ND-1. If you find later that your tax would have been lower on Form ND-2, you have the option of filing an amended return (within the statutorily prescribed time periods) to change forms.

## ***Filing Tip:***

*Have you checked out Form ND-1?  
Over 95 percent of taxpayers will  
have the lowest tax on the  
Form ND-1.*

## Who must file

### **Full-year resident**

If you were a full-year resident of North Dakota for the 2003 tax year and you are required to file a 2003 federal individual income tax return, you must file a 2003 North Dakota individual income tax return. This applies even though you may have worked outside North Dakota (including employment overseas) during the tax year, or all of your income is derived from sources outside North Dakota. You were a full-year resident of North Dakota if you were a resident of North Dakota for the entire tax year, or you meet the statutory 7-month rule.

**Definition of resident**—For North Dakota individual income tax purposes, you are a resident of North Dakota if you are domiciled in North Dakota. Domicile is your residence by law. It is commonly referred to as your legal residence. It generally means the place that is your permanent home to which you always intend to return whenever absent from it. If you have more than one physical place of abode, only one of them may be your domicile. Domicile is based on your intent and your actions.

**Statutory 7-month rule**—If you are not domiciled in North Dakota for any part of the tax year, you are deemed by law to be a full-year resident of North Dakota if you maintain a permanent place of abode in North Dakota and spend in the aggregate more than 210 days of the tax year in North Dakota. A permanent place of abode means a house, apartment, or other dwelling containing cooking and bathroom facilities that is suitable for year-round living and is maintained on a permanent or indefinite basis. This

7-month rule does not apply to individuals on active duty in the U.S. armed forces who are domiciled in another state, nor does it apply to Minnesota or Montana residents covered under the income tax reciprocity agreements with those states.

### **Residents in U.S. armed forces**

If you are a full-year resident of North Dakota serving in the U.S. armed forces and you are required to file a 2003 federal individual income tax return, you must file a 2003 North Dakota individual income tax return. This applies even though you were stationed outside North Dakota during the tax year. As a North Dakota resident, your income from all sources is subject to North Dakota income tax to the same extent that it is taxable on your federal return.

### **Full-year nonresident**

If you were a full-year nonresident, you must file a 2003 North Dakota individual income tax return if **both** of the following apply:

- You are required to file a 2003 federal individual income tax return.
- You derived gross income from North Dakota sources during the tax year.  
(See the box on page 5 for what is included in gross income from North Dakota sources while a nonresident.)

You were a full-year nonresident if you were not a resident of North Dakota for any part of the tax year, and you do not meet the statutory 7-month rule—see page 3.

### **Nonresidents in U.S. armed forces**

If you are a full-year nonresident of North Dakota serving in the U.S. armed forces and you are stationed in North Dakota, your military compensation is not subject to North Dakota income tax. If your only gross income from North Dakota sources is your military compensation, you do not have to file a North Dakota individual income tax return. However, if you have other types of gross income from North Dakota sources, you must file a North Dakota individual income tax return if you meet the full-year nonresident filing requirement.

### **Minnesota or Montana resident**

If you are a Minnesota resident, you do not have to file a North Dakota individual income tax return if **both** of the following apply:

- Your only gross income from North Dakota sources was compensation for personal or professional services.
- You returned to your home in Minnesota at least once each month during the time you worked in North Dakota.

If you are a Montana resident, you do not have to file a North Dakota individual income tax return if your only gross income from North Dakota sources was wages. See **Minnesota and Montana residents** on this page for more information.

### **Nonresident alien**

If you are a nonresident alien of the United States and you derived gross income from North Dakota sources during 2003, you must file a 2003 North Dakota individual income tax return. Except where an income tax treaty between the United States and a foreign country specifically exempts income from state taxation, income tax treaties between the U.S. and foreign countries do not apply for North Dakota income tax purposes. Therefore, you may have to pay North Dakota income tax on income derived from North Dakota sources even though the income is exempt from U.S. income tax because of a treaty. For more information, including the instructions on how to complete the North Dakota return, obtain the *Income Tax Guideline: Taxation of Nonresident Aliens*.

### **Part-year resident**

If you were a part-year resident of North Dakota, you must file a 2003 North Dakota individual income tax return if **both** of the following apply:

- You are required to file a 2003 federal individual income tax return.
- You derived gross income from **any** source inside or outside North Dakota while you were a resident of North Dakota, or you derived gross income from North Dakota sources while you

were a nonresident of North Dakota.  
(See the box on page 5 for what is included in gross income from North Dakota sources while a nonresident.)

You were a part-year resident of North Dakota if you were a resident of North Dakota for only part of the year. This generally applies if you moved into or out of North Dakota and the move constituted a change in your legal residence. See **Definition of resident** on page 3.

## **Native Americans**

If you are a Native American, you are not subject to North Dakota income tax and do not have to file a North Dakota income tax return if **all** of the following apply:

- You are enrolled as a member of a federally-recognized Indian tribe.
- You live on the Indian reservation where enrolled.
- You derive all of your income from sources on the Indian reservation where enrolled.

If any of the above criteria are not met, you may be subject to North Dakota income tax. For more information, obtain the *Income Tax Guideline: Income Taxation of Native Americans*.

## **Minnesota and Montana residents**

North Dakota has income tax reciprocity agreements with the states of Minnesota and Montana. If certain conditions in the agreements are met, a resident of North Dakota does not have to pay Minnesota or Montana income tax on compensation received for work performed in the other state, and a resident of Minnesota or Montana does not have to pay North Dakota income tax on compensation received for work performed in North Dakota. The conditions for exemption under each agreement and the procedures for filing are explained in the following paragraphs.

**Minnesota and Montana residents**

If you are a resident of Minnesota and you maintain a permanent home in Minnesota to which you return at least once each month during the time you work in North Dakota, the compensation that you receive for personal or professional services performed in North Dakota is not taxable by North Dakota.

If you are a resident of Montana, wages that you receive for work performed in North Dakota are not taxable by North Dakota.

If you received wages covered by reciprocity, and your employer withheld North Dakota income tax from them, you must file a North Dakota individual income tax return at the end of the tax year to obtain a refund of the amount withheld. If this applies to you and you do not have any other gross income from North Dakota sources, obtain Form ND-1 and complete it according to the special instructions on page 6 of the Form ND-1 instruction booklet. Do not use Form ND-2.

If your wages are covered by reciprocity and you do not want your employer to withhold North Dakota income tax from them, you must complete and give to your employer a **Form NDW-R**. Ask your employer for this form.

**North Dakota residents**

If you are a resident of North Dakota and you maintain a permanent home in North Dakota to which you return at least once each month during the time you work in Minnesota, the compensation that you receive for personal or professional services performed in Minnesota is not taxable by Minnesota. Also, wages that you receive for work performed in Montana while a resident of North Dakota are not taxable by Montana.

If you received wages covered by reciprocity and your employer withheld Minnesota or Montana income tax from them, you must file an income tax return with Minnesota or Montana to obtain a refund of the amount withheld.

**Gross income from North Dakota sources (for nonresidents only)**

Gross income from North Dakota sources includes the following items received while a nonresident of North Dakota:

- Compensation for services performed in North Dakota, such as wages, salaries, tips, commissions, and fees.
- Income from tangible property in North Dakota, such as rents, royalties, and gain from the sale or exchange of the property.
- Income from a sole proprietorship, partnership, S corporation, or other trade or business carried on in North Dakota.
- Income from an estate or trust, but only to the extent the income is derived from tangible property or a trade or business in North Dakota.
- Income from gambling activity carried on in North Dakota.

**Exceptions**

Gross income from North Dakota sources **does not** include these items received while a nonresident of North Dakota: military pay, interest, dividends, pensions, annuities, gain from the sale or exchange of intangible property, compensation exempted under reciprocity with Minnesota or Montana, or compensation for services performed in North Dakota by an individual who performs regularly assigned duties in more than one state for an interstate motor, rail, air, or water carrier company as provided under federal interstate commerce law.

**Note:** *Interest, dividends, gains, and other income from intangible property are included in gross income from North Dakota sources if derived from a sole proprietorship, partnership, or S corporation doing business in North Dakota.*

If your wages are covered by reciprocity and you do not want your employer to withhold Minnesota or Montana tax from them, you must give your employer a properly completed Minnesota Form MW-R or Montana Form NR-2, whichever applies. For assistance and forms, contact:

- Minnesota Department of Revenue  
Taxpayer Information Division  
St. Paul, MN 55146-4450  
Phone: (651) 296-3781
- Montana Department of Revenue  
PO Box 5805  
Helena, MT 59604-5805  
Phone: (406) 444-6900

Mail your return and all required attachments in the preaddressed envelope provided in this booklet. If you don't have a preaddressed envelope, mail your return to:

Office of State Tax Commissioner  
600 E. Boulevard Ave., Dept. 127  
Bismarck, North Dakota 58505-0550

**Extension of time to file**

You may obtain an extension of time to file your North Dakota individual income tax return by obtaining either a federal extension or a North Dakota extension.

**Federal extension**

If you obtain an extension of time to file your federal return, it will be recognized for North Dakota purposes. This includes the automatic 2-month extension to June 15 allowed for being outside the U.S. and Puerto Rico on April 15. You do not have to file a separate state extension form, nor do you have to notify the Office of State Tax Commissioner that you have obtained a federal extension prior to filing your North Dakota return.

**When and where to file**

If you are filing on a calendar year basis—January 1 through December 31—you must file your 2003 North Dakota individual income tax return on or before April 15, 2004. If you are filing on a fiscal year basis, you must file on or before the 15th day of the fourth month following the close of your fiscal tax year. If the due date falls on a Saturday, Sunday or holiday, you have until the next day that is not a Saturday, Sunday, or holiday to file your return.



When you file your North Dakota return, you must attach a copy of the federal extension form that you filed with the IRS. If you obtained the federal extension using the IRS's phone, computer, or credit card payment option, attach a copy of a completed Form 4868 showing the confirmation number or a printed copy of the acknowledgment. In the case of the automatic 2-month extension for being outside the United States and Puerto Rico on April 15, attach a copy of the statement that the IRS required you to attach to your federal return. In all cases, check the box next to "Extension" in the top right-hand corner of your North Dakota return.

### North Dakota extension

If you do not obtain a federal extension, but need additional time to file your North Dakota return, you may apply for a North Dakota extension by completing and filing **Form 101**. This is not an automatic extension—you must have good cause to request a North Dakota extension. Form 101 must be postmarked on or before the due date of your return. You will be notified whether your extension request is approved or rejected. If approved, attach a copy of the approved extension form to your return and check the box next to "Extension" in the top right-hand corner of your return.

### Extension interest

If you file your North Dakota return on or before the extended due date, and you pay any tax balance due with the return, no penalty will be charged. However, interest on any tax due on the return will be charged at the rate of 12% per year from the original due date of your return to the earlier of the date you file your return or the extended due date.

### Prepayment of tax due

If you are applying for an extension of time to file, you may prepay the tax that you expect to owe to avoid paying

extension interest. To do so, submit your check or money order along with a completed **2003 Form 400-EXT** by the regular due date. Alternatively, you may submit your payment along with a letter containing the following:

- Your name.
- Your social security number.
- Your address and phone number.
- Statement that your payment is a prepayment of your 2003 North Dakota individual income tax.

## Penalty and interest

The full amount of your tax due must be paid by the due date (without extension) of your return to avoid penalty and interest charges. However, if you obtained an extension of time to file your return, you may pay the tax due by the extended due date of the return without penalty, but interest will apply—see **Extension interest and Prepayment of tax due** on this page.

If you pay your tax due after the due date (or extended due date, if applicable), a penalty equal to 5% of the tax due (with a minimum of \$5.00) will be charged. In addition, interest will be charged at the rate of 1% per month or a fraction of a month (except for the month in which the tax was due) until the tax is fully paid.

## Copy of federal return

You must attach a complete copy of your federal income tax return to your North Dakota return. A complete copy consists of Form 1040EZ, 1040A, or 1040 along with any supplemental forms and schedules. You do not have to include depreciation schedules or any other statements that you may have prepared as supporting documentation. If you used the IRS's TeleFile system, attach a copy of the TeleFile Tax Record that you completed for that purpose.

## Correcting your return

If you need to correct your North Dakota return after you file it, you must file an amended return. There is no special form for this purpose. See **How to prepare an amended return** on this page for step-by-step instructions.

If you paid too much tax because of an error in your return, you generally have three years after you file your original return to file an amended return to correct the error and claim a refund of the overpayment. There are other time periods that may apply, such as in the case of a net operating loss carryback, an overstatement of tax of over 25%, or an IRS audit. For more information, contact the Office of State Tax Commissioner.

### Change to federal return

By law, you must file an amended North Dakota return to report changes made to your federal return. This applies whether the changes are attributable to your filing of an amended federal return, or an audit or correction by the Internal Revenue Service (IRS). The amended North Dakota return must be filed within 90 days after filing the amended federal return or within 90 days after the final determination of the IRS changes.

### How to prepare an amended return

1. Obtain the appropriate North Dakota individual income tax return for the tax year affected by the changes. For tax years before 2001, this will be either Form 37-S or Form 37. For 2001 and subsequent tax years, you will use either Form ND-1 or Form ND-2.
2. Enter your name, address, social security number, and other information required in the top portion of the return. Be sure to use your current address on the amended return.

3. Check the box (or fill in the circle, if applicable) next to "Amended" in the top right-hand corner of the return.
4. Using the corrected information, complete the return through the net tax liability line.
5. On the estimated tax payment line, enter the net tax liability shown on your original return or previously filed amended return.
6. Complete the remaining portion of the return according to the instructions. On an amended return, you may not adjust the amount of any voluntary contribution to the wildlife or trees funds, nor the amount of an overpayment applied to the next year's estimated tax.
7. Attach a statement explaining why you are correcting your return. If you are doing so because of changes that you or the IRS made to your federal return, attach a copy of the amended federal return or IRS notice.

## Estimated tax requirement (for 2004)

You must pay estimated North Dakota income tax for the 2004 tax year if *all* of the following conditions apply:

1. You are required to pay estimated federal income tax for 2004.
2. Your net tax liability for 2003 is \$500 or more. (*If you were not required to file a North Dakota return for 2003, you do not have to pay estimated tax for 2004.*)
3. You expect to owe (*after subtracting any estimated North Dakota income tax withholding*) at least \$500 in tax for 2004.
4. You expect your North Dakota income tax withholding for 2004 to be less than the smaller of the following:
  - (a) 90% of your 2004 net tax liability.
  - (b) 100% of your 2003 net tax liability. If you moved into North Dakota during 2003 and had no income from North Dakota prior to the move, this 100% threshold does not apply; you must satisfy the 90% threshold in part (a).

In general, one-fourth (25%) of the total estimated tax required to be paid for the 2004 tax year must be paid by April 15, June 15, and September 15, 2004, and January 15, 2005.

If you are required to pay estimated tax for 2004, obtain the **2004 Form 400-ES, Estimated income tax—individuals**. If you paid estimated tax for 2003, a 2004 Form 400-ES will be mailed to you in early 2004.

## Specific line instructions for Form ND-2

### How to complete Form ND-2

#### Step 1

Complete the top portion of Form ND-2 as instructed later on this page.

#### Step 2

Calculate your North Dakota taxable income on the appropriate schedule as follows:

- If you were a full-year resident, you must complete Schedule 2 according to the instructions on page 8. Schedule 2 is on the reverse side of Form ND-2.
- If you were a full-year nonresident or a part-year resident, you must complete Schedule 3 according to the instructions on page 11. Schedule 3 is a separate form included in this booklet.

#### Step 3

Complete the Tax Computation Schedule on the front of Form ND-2 according to the instructions on page 14.

### Rounding of numbers

You may enter your numbers on the return in dollars and cents, or you may round your numbers to the nearest whole dollar. If you choose to round your numbers, drop the cents if less than 50 cents and round up to the next whole dollar amount if 50 cents or higher. For example, \$25.36 becomes \$25.00, and \$25.50 becomes \$26.00.

### Tax year

Your tax year for North Dakota income tax purposes must be the same as the tax year used for federal income tax purposes. If you used a fiscal tax year for federal income tax purposes, enter the dates of your fiscal tax year from your federal return in the spaces provided at the top of Form ND-2.

### Name and address

Print or type your full name and address in the spaces provided on the return. If you are married and are filing a joint return, include your spouse's full name.

### Social security number(s)

Print or type your social security number (and your spouse's social security number, if married) in the spaces provided on the return. Omitting one or both numbers, or entering an incorrect number, will delay the processing of your return.

### Filing status

Fill in the circle next to the filing status that you used on your federal individual income tax return.

**Exception for joint filers with different states of residence**—If you and your spouse are filing a joint federal income tax return and had different states of residence (one of which is North Dakota) for the 2003 tax year, special filing procedures apply. This exception applies if:

- You were a full-year or part-year resident of North Dakota, and your spouse was a full-year nonresident of North Dakota; or
- You were a full-year resident of North Dakota and your spouse was a part-year resident of North Dakota.

If this exception applies, you must file a separate North Dakota return. Fill in the circle next to "Married filing separately." Then, you must obtain and complete **Schedule SF**. The instructions to Schedule SF explain how to complete your separate return.

**Residency status**

For your residency status, fill in the circle next to:

- **Full-year resident**, if you were a resident of North Dakota for the entire 2003 tax year, or you meet the statutory 7-month rule.
- **Full-year nonresident**, if you were not a resident of North Dakota for any part of the 2003 tax year, and you do not meet the statutory 7-month rule.
- **Part-year resident**, if you were a resident of North Dakota for only part of the 2003 tax year.

See **Definition of resident** and **Statutory 7-month rule** on page 3 for more information.

**Income source code**

From the following list, select the code number that most closely corresponds to the area from which you derived the majority of your income for the 2003 tax year.

Source of income	Code number
Farming, ranching, or agricultural production .....	1
Retail, wholesale trade, and eating and drinking places .....	2
Federal, state, county, or city government service .....	3
Public or private education .....	4
Accounting, legal, health, motel, and other personal or professional services not classified elsewhere ....	5
Construction .....	6
Manufacturing .....	7
Transportation, communication, and public utilities .....	8
Exploration, development, and extraction of coal, oil, and natural gas .....	9
Banking, insurance, real estate, and other financial services .....	10
Military service .....	11
Retirement (Pensions, annuities, IRAs, etc.) ....	12

**School district code**

Select the code number from the list on page 16 for the school district in which you resided during the tax year and enter it in the boxes provided on the return.

If you resided in more than one school district during the tax year, enter the code number for the school district in which you resided for the greater amount of time.

**Federal estimated tax requirement**

If you were required to pay estimated federal income tax for any part of the 2003 tax year, you must check the box next to "Yes." This applies whether or not you actually made the required payment. Otherwise, check the box next to "No."

**Amended or extended return**

Check the box next to "Amended" *only if* you are completing this return for the purpose of correcting a return you previously filed for the 2003 tax year. See **Correcting your return** on page 6 for more information.

Check the box next to "Extension" *only if* you have an extension to file your North Dakota return. See **Extension of time to file** on page 5 for more information. Attach copy of applicable extension form.

**Specific line instructions for Schedule 2****Full-year resident only****Line 1 - Federal taxable income**

If your federal taxable income is a negative number (that is, it is less than

zero mathematically), you are instructed to enter zero on your federal income tax return. However, for purposes of completing Schedule 2, enter the negative number on line 1.

**Line 2 - Interest from state and local obligations**

Except for interest from obligations of the state of North Dakota and its political subdivisions, enter interest income from state and local government obligations which is exempt from federal income tax.

**Line 3 - State and local income taxes**

Enter the amount of state and local income taxes deducted on your federal income tax return. If a portion of your itemized deductions claimed on your federal return was disallowed because your federal adjusted gross income exceeded \$139,500 (\$69,750, if married filing separately), complete the worksheet on this page.

**Line 4 - Other additions**

The following items must be included on this line:

- Taxable portion of a lump-sum distribution from a qualified retirement plan reported on Federal Form 4972. Enter on this line the amount from Form 4972, line 6 plus line 10.
- Loss from a pass-through entity subject to North Dakota's financial institution tax. If applicable, the entity is required to provide you with a statement showing the amount of this adjustment.

**Worksheet for Schedule 2, line 3**

<b>A.</b> Amount of state and local income taxes from Schedule A (Form 1040), line 5 .....	<b>A</b>	_____
<b>B.</b> Amount from line 3 of Federal Itemized Deductions Worksheet in Form 1040 instructions .....	<b>B</b>	_____
<b>C.</b> Divide line <b>A</b> by line <b>B</b> .....	<b>C</b>	____ ÷ ____ = _____
<b>D.</b> Amount from line 9 of Federal Itemized Deductions Worksheet in Form 1040 instructions .....	<b>D</b>	_____
<b>E.</b> Multiply line <b>D</b> by line <b>C</b> .....	<b>E</b>	_____
<b>F.</b> Subtract line <b>E</b> from line <b>A</b> . Enter this amount on line 3 of Schedule 2.....	<b>F</b>	_____

For more information, obtain the *Income Tax Guideline: Adjustment For Income (Loss) From A Pass-Through Entity Subject To N.D.C.C. ch. 57-35.3. Attach a copy of the statement you received from the entity.*

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### **Line 7 - U.S. obligation interest**

The following items may be entered on this line:

- Interest income from U.S. obligations.
- Interest income from federal securities that is specifically exempted from state income tax by federal statute.
- The portion of dividend income from a mutual fund that is attributable to interest from U.S. obligations and to interest from federal securities that is specifically exempted from state income tax by federal statute.

Common sources of interest income that may be entered on this line include:

- U.S. savings bonds.
- U.S. Treasury bonds, bills, and notes.
- Securities issued by—
  - Banks for cooperatives
  - Commodity Credit Corporation
  - Federal Deposit Insurance Corporation
  - Federal Farm Credit System
  - Federal Home Loan Banks
  - Federal Intermediate Credit Banks
  - Federal Land Banks
  - Federal Savings & Loan Insurance Corporations
  - Student Loan Marketing Association

**Do not** enter on this line interest income from securities issued by the following agencies:

- Federal Home Loan Mortgage Corporation (Freddie Mac)
- Federal National Mortgage Association (Fannie Mae)
- Government National Mortgage Association (Ginnie Mae)

**Attach a statement identifying the specific securities from which you derived the interest amount entered on this line.**

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### **Line 8 - Military pay exclusion**

Enter up to \$1,000 of your military pay received for active duty service in the U.S. armed forces, or for attending periodic training for drill and instruction as a member of the National Guard or a reserve unit of the U.S. armed forces. This exclusion is allowed only to the extent that your military pay is included in federal taxable income (on line 1, Schedule 2).

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### **Line 9 - Additional military pay exclusion for overseas duty**

If you are a member of the U.S. armed forces who served overseas for at least thirty days during the tax year, enter up to \$300 of your military pay for each month (or fraction of a month) you were overseas. You are considered to have served overseas if you were stationed outside the United States and the District of Columbia.

This exclusion is allowed only to the extent that your military pay is included in federal taxable income (on line 1, Schedule 2). The total of this exclusion and the exclusion on line 8 (military pay exclusion) may not exceed the total of your active duty military pay.

Field grade and general officers are not eligible for this exclusion. Field grade and general officers are persons with a rank of: Major or higher in the U.S. Army, Air Force, or Marines; Lieutenant commander or higher in the U.S. Navy; and Surgeon or higher in the U.S. Public Health Service.

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### **Line 10 - Military retirement pay exclusion**

If you received military retirement pay for service in the U.S. armed forces (including the Coast Guard) or any of its reserve components, and you are at least 50 years old, enter up to \$5,000 of your military retirement pay. This exclusion is allowed only to the extent that your military retirement pay is included in federal taxable income (on line 1, Schedule 2). If you also received social security benefits, you must reduce the

amount otherwise deductible on this line by the amount of your social security benefits.

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### **Line 11 - Other retirement pay exclusions**

Enter up to \$5,000 of your retirement pay received from the following sources:

- Federal government pension fund
- North Dakota city firefighters relief associations
- North Dakota city policemen's pension funds
- North Dakota highway patrolmen's retirement system

This exclusion is allowed only to the extent that your retirement pay is included in federal taxable income (on line 1, Schedule 2). If you also received social security benefits, you must reduce the amount otherwise deductible on this line by the amount of your social security benefits.

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### **Lines 12, 13, and 14 - Beginning farmer deductions**

Deductions are available for selling or leasing farmland to a qualifying beginning farmer. To determine if you qualify, obtain the *Income Tax Guideline: Beginning Farmer Income Tax Deductions*. If you qualify, you must complete a *Beginning Farmer Statement* and attach it to your return.

#### **• Line 12 - Interest deduction**

Enter interest income derived from a qualifying contract for deed for the sale of 80 or more acres of farmland to a qualifying beginning farmer.

#### **• Line 13 - Rental deduction**

Enter up to \$25,000 of net rental income derived from a qualifying contract for the lease of 20 or more acres of farmland to a qualifying beginning farmer.

#### **• Line 14 - Gain deduction**

Enter the taxable part of a gain from the sale of 20 or more acres of farmland to a qualifying beginning farmer.



**Line 15- Interest from financial institution**

Enter up to \$300 (\$600, if married filing joint) of interest income received from a bank, credit union or similar financial institution located in North Dakota.

**Lines 16, 17, and 18 - Beginning entrepreneur deductions**

Deductions are available for selling or leasing a revenue-producing enterprise to a qualifying beginning entrepreneur. To determine if you qualify, obtain the *Income Tax Guideline: Beginning Entrepreneur Income Tax Deductions*. If you qualify, you must complete a *Beginning Entrepreneur Statement* and attach it to your return.

- **Line 16 - Interest deduction**  
Enter interest income derived from a qualifying contract for deed for the sale of a revenue-producing enterprise to a qualifying beginning entrepreneur.
- **Line 17 - Rental deduction**  
Enter up to \$25,000 of net rental income derived from a qualifying contract for the lease of a revenue-producing enterprise to a qualifying beginning entrepreneur.
- **Line 18 - Gain deduction**  
Enter the taxable part of a gain from the sale of a revenue-producing enterprise to a qualifying beginning entrepreneur.

**Line 19 - Venture capital deduction**

Enter up to \$5,000 (\$10,000, if joint return) of an investment in a North Dakota venture capital corporation formed under N.D.C.C. ch. 10-30.1. If you made an investment in a qualified venture capital corporation, the entity is required to give you an investment reporting form. **Attach a copy of the Venture Capital Corporation Investment Reporting Form.**

**Worksheet for line 25 of Schedule 2 (Form 1040 filers only)**

- A. Amount from Form 1040, line 54 ..... **A** \_\_\_\_\_
- B. If applicable, enter amount from Form 1040, line 44 ..... **B** \_\_\_\_\_
- C. If applicable, enter taxes from Form 5329, lines 4 and 8 ..... **C** \_\_\_\_\_
- D. If applicable, enter the following taxes included on Form 1040, line 60 ..... **D** \_\_\_\_\_
- Form 4970 tax
  - Section 72(m)(5) excess benefits tax
  - Recapture taxes (if Form 37 or Form ND-2 was used in credit year)
- E. Add lines A, B, C, and D ..... **E** \_\_\_\_\_
- F. If applicable, enter amounts from Form 1040, lines 42, 63, and 65 ..... **F** \_\_\_\_\_
- G. Subtract line F from line E. If result is zero or less, enter -0-. Enter this amount on line 25 of Schedule 2 ..... **G** \_\_\_\_\_

**Line 22 - Other subtract adjustments**

The following items may be entered on this line. Attach a statement to your return explaining each adjustment claimed on this line.

- Compensation received by a National Guard or U.S. armed forces reserve member for federal active duty outside North Dakota. Do not include compensation for attending annual training, basic military training, professional military education, or for voluntary active duty.
- Exempt income of a Native American. See **Native Americans** on page 4.
- Retirement, unemployment, and sick pay benefits received from the U.S. Railroad Retirement Board which are included in federal taxable income. **Attach a copy of Federal Form RRB-1099, RRB-1099-R, or both.**
- \$1,750 for adopting a child under the age of 21, provided the child qualifies as a dependent on your federal income tax return and the adoption was finalized in 2003. If married filing separate return, only one spouse may claim this deduction.
- Up to \$1,000 of the costs of adopting a child under the age of 21 who is mentally retarded, or is blind or disabled as determined under Title XVI of U.S. Social Security Act, provided the child qualifies as a

dependent on your federal income tax return and the adoption was finalized in 2003.

- \$750 for each adopted child under the age of 21 who is mentally retarded, or is blind or disabled as determined under Title XVI of U.S. Social Security Act, provided the child qualifies as a dependent on your federal income tax return.
- Gain recognized on the sale of property due to the exercise of eminent domain.
- Amount of net income from a new or expanding business that is exempted from income tax under North Dakota's new or expanding industry exemption under N.D.C.C. ch. 40-57.1. For more information, obtain the *Application For New And Expanding Industry Exemption*.
- Amount of net income exempted from income tax under North Dakota's renaissance zone provisions under N.D.C.C. ch. 40-63. **Attach Schedule RZ.**
- Amount of taxable gain from the sale of stock in a corporation that has relocated to North Dakota. The exemption is limited to the excess of the stock's fair market value on the sale date over its fair market value on the date the corporation relocated to North Dakota. For more information, see N.D.C.C. § 57-38-01.18.



- Amount of income from a pass-through entity subject to North Dakota's financial institution tax. If applicable, the entity is required to provide you with a statement showing the amount of this adjustment. For more information, obtain the *Income Tax Guideline: Adjustment For Income (Loss) From A Pass-Through Entity Subject To N.D.C.C. ch. 57-35.3*. **Attach a copy of the statement you received from the entity.**
- State and local income tax refunds reported as income on the federal income tax return, but only if Form 37 (Long Form) or Form ND-2 (Optional method) was filed for the tax year in which the taxes were deducted on the federal return, and the taxes were added back into income on that state return.

### Line 25 - Federal income tax

Enter the amount from your federal income tax return as follows:

- If you used **Form 1040EZ**, enter the amount from line 10 less line 8.
- If you used **Form 1040A**, enter the amount from line 36 less the alternative minimum tax less lines 41 and 42.
- If you used the Federal TeleFile system to file your federal return, enter the amount from line K (the "Tax" box) less line L of your **TeleFile Tax Record**.
- If you used **Federal Form 1040**, complete the worksheet on page 10 to determine the amount to enter here.

### Line 27 - Total adjustments from income

Enter the total of lines 7 through 18 plus line 22; however, do not include any of the adjustments for adopted children or the deduction for state and local income tax refunds claimed on line 22.

## Specific line instructions for Schedule 3

### Full-year nonresident or part-year resident only

If you were a full-year nonresident or a part-year resident of North Dakota for the 2003 tax year, you must complete this schedule to calculate your North Dakota taxable income for purposes of Form ND-2.

**Minnesota and Montana residents**—If you were a full-year resident of Minnesota or Montana, and all of your income is exempt from North Dakota income tax under the income tax reciprocity agreement, do not complete this schedule. See **Minnesota and Montana residents** on page 4 for more information.

**Joint filers with different states of residence**—If you and your spouse filed a joint federal income tax return and had different states of residence for the 2003 tax year, you must complete Schedule SF before attempting to complete Schedule 3. See **Filing status** on page 7 for more information.

## How to complete Schedule 3

### Step 1

First complete Part 2 (on page 2) of Schedule 3 to calculate your North Dakota adjusted gross income. The instructions for Part 2 start on this page.

### Step 2

Complete Part 1 (on page 1) of Schedule 3 to calculate your North Dakota taxable income. The instructions for Part 1 start on page 13.

## Instructions for Schedule 3, Part 2, lines 1 through 17

Complete Column A first by filling in the amounts as shown on your federal income tax return. Then complete Column B by filling in the portion of the amount shown in Column A that is derived from North Dakota sources, as explained in the instructions that follow.

**Important: The following instructions for lines 1 through 17 of the worksheet only apply to Column B.**

### Line 1

Include wages, salaries, tips, commissions, bonuses, and other compensation received for services performed in North Dakota while a nonresident, and all compensation received while a North Dakota resident.

**Minnesota resident**—Do not include compensation received for work performed in North Dakota while a Minnesota resident if you maintained a permanent home in Minnesota that you returned to at least once each month.

**Montana resident**—Do not include compensation received for work performed in North Dakota while a Montana resident.

**Interstate commerce employee**—Do not include compensation received for work performed in North Dakota while a nonresident if the compensation was received for the performance of regularly assigned duties in more than one state for a rail, motor, air, or water carrier as provided under federal interstate commerce law (Title 49 of U.S. Code).

### Line 2

Include amounts received (or credited to your account) while a North Dakota resident. However, do not include interest from U.S. obligations. Also include your share of North Dakota-source interest and dividends which you

## Filing Tip:

If you call to check on the status of your refund, be sure to have a copy of your return on hand.

received from a pass-through entity (e.g., a partnership) while a nonresident.

### Line 3

Include net income or loss attributable to the portion of a sole proprietorship operated in North Dakota while a nonresident, and all net income or loss from a sole proprietorship (regardless of where its operations are located) while a North Dakota resident.

**Minnesota resident**—Do not include net income or loss from a personal or professional service business while a Minnesota resident if the income is eligible for income tax reciprocity.

### Line 4

Include net gains and losses from tangible property in North Dakota received while a nonresident, and net gains and losses from all property (regardless of its location) received while a resident. Also include your share of North Dakota-source net gains and losses which you received from a pass-through entity (e.g., a partnership) while a nonresident.

### Line 5

Include amounts received while a North Dakota resident.

### Line 6

Include net income and losses from the rental of tangible property in North Dakota received while a nonresident, and net income and losses from the rental of all property (regardless of location) received while a North Dakota resident.

Include royalties and other income from interests in oil, coal, or other mineral property in North Dakota received while a nonresident, and income from all mineral properties (regardless of location) received while a resident.

Include your share of North Dakota ordinary income or loss, net rental income, and other income not reported on other lines from a pass-through entity

(e.g., a partnership) received while a nonresident, and all similar types of income and losses received from a pass-through entity while a resident.

Include your share of North Dakota-source income and losses from an estate or trust received while a nonresident. Do not include interest, dividends, pensions, or annuities received while a nonresident.

### Line 7

Include net income or loss attributable to the portion of a farm operated in North Dakota while a nonresident, and all net income or loss from a farm (regardless of where it is located) while a North Dakota resident.

### Line 8

Include amounts received while a North Dakota resident, and amounts received from North Dakota sources while a nonresident. Do not include state and local income tax refunds, alimony, and social security benefits received while a nonresident.

**Part-year resident**—To determine the amount of your taxable social security benefits to include on this line, multiply the total gross social security benefits received while a resident by a percentage

equal to the total taxable portion of your social security benefits divided by your total gross social security benefits.

### Line 10

If a part-year resident, include expenses paid while a North Dakota resident. Otherwise, multiply these expenses by a percentage equal to North Dakota income divided by total income.

### Line 11

Include moving expenses paid while a North Dakota resident or that were attributable to a move into North Dakota.

### Line 12

Multiply amount in Column A by a percentage equal to North Dakota self-employment income divided by total self-employment income.

### Line 13

Multiply amount in Column A by a percentage equal to North Dakota earned income divided by total earned income.

### Line 14

Multiply the amount of an MSA deduction by a percentage equal to North Dakota compensation for services (from employer sponsoring MSA) divided by total compensation.

## Worksheet for Schedule 3, Part 1, line 11 (Form 1040 filers only)

- |           |   |          |       |
|-----------|---|----------|-------|
| <b>A.</b> | Amount from Form 1040, line 54 .....  | <b>A</b> | _____ |
| <b>B.</b> | If a part-year resident, enter amount from Form 1040, line 44,<br><b>but only to the extent the foreign income is included on</b><br><b>Schedule 3, Part 1, line 1B</b> ..... | <b>B</b> | _____ |
| <b>C.</b> | If applicable, enter taxes from Form 5329, lines 4 and 8 .....  | <b>C</b> | _____ |
| <b>D.</b> | If applicable, enter the following taxes included on Form 1040,<br>line 60 .....  | <b>D</b> | _____ |
|           | • Form 4970 tax                      • Section 72(m)(5) excess benefits tax   |          |       |
|           | • Recapture taxes (if Form 37 or Form ND-2 was used in credit year)   |          |       |
| <b>E.</b> | Add lines <b>A</b> , <b>B</b> , <b>C</b> , and <b>D</b> .....   | <b>E</b> | _____ |
| <b>F.</b> | If applicable, enter amounts from Form 1040, lines 42, 63,<br>and 65. ....  | <b>F</b> | _____ |
| <b>G.</b> | Subtract line <b>F</b> from line <b>E</b> . If result is zero or less, enter -0-.<br>Enter this amount on Schedule 3, Part 1, line 11 .....                                   | <b>G</b> | _____ |

Include the amount of a penalty on early withdrawal only if the related interest income is included on line 2, Column B. If a part-year resident, include alimony paid while a North Dakota resident. Otherwise, multiply the total alimony paid by a percentage equal to North Dakota income divided by total income.

## Instructions for Schedule 3, Part 1, lines 1A through 29

Fill in your name and social security number at the top of the schedule. If you were a part-year resident of North Dakota for the 2003 tax year, enter the dates you were a resident of North Dakota and the name of the other state.

### Lines 2 through 8 - North Dakota subtractions

You may be eligible for certain deductions and exclusions from your North Dakota adjusted gross income on line 1B. See the instructions for lines 7 through 19, and line 22, of Schedule 2 (Form ND-2) on page 9 for the deductions and exclusions that may apply. Except for the adoption deductions listed in the instructions for line 22 of Schedule 2, the income to which the deduction or exclusion relates must be included in the amount on line 1B.

If you are eligible for any of the adoption deductions listed in the instructions for line 22 of Schedule 2, you must multiply the deduction amount by a percentage equal to North Dakota adjusted gross income (on line 1B) divided by federal adjusted gross income (on line 1A). (Note: If line 1B is positive and line 1A is zero or negative, the percentage is 1.00.)

**Attach a statement on which you identify the deduction or exclusion and show its calculation.**

If you qualify for the deduction for income from a pass-through entity subject to North Dakota's financial institution tax

listed in the instructions for 22 of Schedule 2, you must attach a copy of the statement that you received from the pass-through entity.

### Line 11 - Federal income tax

Enter your federal income tax from your federal income tax return as follows:

- If you used **Form 1040EZ**, enter the amount from line 10 less line 8.
- If you used **Form 1040A**, enter the amount from line 36 less the alternative minimum tax less lines 41 and 42.
- If you used the Federal TeleFile system to file your federal return, enter the amount from line K (the "Tax" box) less line L of your **TeleFile Tax Record**.
- If you used **Form 1040**, complete the worksheet on page 12 to determine the amount to enter on this line.

### Line 15 - North Dakota additions

If you were a part-year resident of North Dakota during the tax year, enter the following amounts if received during the part of the year you were a resident of North Dakota:

- Interest income from state and local government obligations (other than North Dakota and its political subdivisions) that is exempt from federal income tax.
- Taxable portion of a lump-sum distribution from a qualified retirement plan reported on Federal Form 4972.

Enter on this line the amount from Form 4972, line 6 plus line 10.

If your North Dakota adjusted gross income on line 1B includes a loss from a pass-through entity subject to North Dakota's financial institution tax, you must enter the loss on this line because it is not deductible for North Dakota income tax purposes. If applicable, the entity is required to provide you with a statement showing the amount of this adjustment. For more information, obtain the *Income Tax Guideline: Adjustment For Income (Loss) From A Pass-Through Entity Subject To N.D.C.C. ch. 57-35.3*. **Attach a copy of the statement you received from the entity.**

### Line 20 - State and local income taxes

If a portion of your federal itemized deductions was disallowed because your federal adjusted gross income exceeded \$139,500 (\$69,750, if married filing separate), complete the worksheet on this page to determine the amount to enter on this line.

### Line 22 - Standard deduction

Enter your federal standard deduction from your federal income tax return as follows:

- If you used **Form 1040A**, enter amount from line 24.
- If you used **Form 1040**, enter amount from line 37.

### Worksheet for Schedule 3, Part 1, line 20

<b>A.</b>	Amount of state and local income taxes from Schedule A (Form 1040), line 5 .....	<b>A</b>	_____
<b>B.</b>	Amount from line 3 of Federal Itemized Deductions Worksheet in Form 1040 instructions .....	<b>B</b>	_____
<b>C.</b>	Divide line <b>A</b> by line <b>B</b> .....	<b>C</b>	___ . ___
<b>D.</b>	Amount from line 9 of Federal Itemized Deductions Worksheet in Form 1040 instructions .....	<b>D</b>	_____
<b>E.</b>	Multiply line <b>D</b> by line <b>C</b> .....	<b>E</b>	_____
<b>F.</b>	Subtract line <b>E</b> from line <b>A</b> . Enter this amount on Schedule 3, Part 1, line 20 .....	<b>F</b>	_____

- If you used the Federal TeleFile system to file your federal return, enter the amount from line J (the “Standard Deduction” box) of your **TeleFile Tax Record**.
- If you used **Form 1040EZ**, the amount to enter on this line depends on how you answered the question on line 5 of Form 1040EZ—
  - **No.** If you answered “No,” enter \$4,750, if single; or \$9,500, if married.
  - **Yes.** If you answered “Yes,” enter the larger of: (1) \$750; or (2) amount from Form 1040EZ, line 1, plus \$250, up to a maximum of \$4,750 (if single) or \$9,500 (if married).

#### Line 24 - Exemptions

Enter your federal exemption amount from your federal income tax return as follows:

- If you used **Form 1040A**, enter amount from line 26.
- If you used **Form 1040**, enter amount from line 39.
- If you used the Federal TeleFile system to file your federal return, enter the amount from line J (the “Exemption Amount” box) of your **TeleFile Tax Record**.
- If you used **Form 1040EZ**, the amount to enter on this line depends on how you answered the question on line 5 of Form 1040EZ—
  - **No.** If you answered “No,” enter \$3,050, if single; or \$6,100, if married.
  - **Yes.** If you answered “Yes,” enter \$0, if you are single, or you are married and both you and your

spouse can be claimed as dependents by other taxpayers; or \$3,050, if you are married and only you or your spouse can be claimed as a dependent by another taxpayer.

### Specific line instructions for Tax Computation Schedule

#### To be completed by all Form ND-2 filers

#### Line 3 - Credit for income tax paid to another state

If you were a full-year resident or part-year resident of North Dakota, you may be eligible for a credit for income tax paid to another state on income that is also taxed by North Dakota. Obtain **Schedule 4** for details. **Attach Schedule 4 and a copy of the other state’s return.**

#### Lines 4 and 5 - Credit for contribution to qualifying private high school or college

If you made a charitable contribution to a qualifying nonprofit private high school or college in North Dakota, you may qualify for a credit. Contributions do not qualify unless they are made directly to, or are specially designated for the exclusive use of, a qualifying school. Contributions to a fund that benefits both qualifying and nonqualifying schools do not qualify for the credit. A contribution may be made up to the due date or extended due date of your return.

Following are the qualifying schools in each category of institution:

#### High school category

- St. Mary’s Central High School (Bismarck)
- Dakota Memorial High School (Minot)
- Dickinson Trinity High School (Dickinson)
- Shiloh Christian School (Bismarck)
- Shanley High School (Fargo)
- Dakota Adventist Academy (Bismarck)
- Oak Grove Lutheran High School (Fargo)
- Johnson Corners Christian Academy (Watford City)
- Our Redeemer’s Christian School (Minot)
- Anne Carlsen School (Jamestown)
- Bishop Ryan High School (Minot)
- Trinity Christian School (Williston)
- Prairie Learning Education Center (Raleigh)

#### College category

- University of Mary (Bismarck)
- Trinity Bible College (Ellendale)
- Jamestown College (Jamestown)
- ND Independent College Fund

The credit allowed for **each** category of school is equal to the lesser of (1) 50% of the contributions made to all schools in the category, (2) 40% of the tax on line 2 of the Tax Computation Schedule, or (3) \$250. Enter the credit on the applicable line. **Attach a statement identifying the qualifying school along with a copy of a receipt or canceled check (front and back).**

#### Line 6 - Long-term care insurance credit

If you paid premiums on a long-term care insurance policy covering yourself, your spouse, child, parent, or stepparent, you are eligible for a credit equal to the lesser of (1) 25% of the premiums paid during the year or (2) \$100 multiplied by the number of qualifying persons covered by the policy. **Attach a statement showing the name of the insurance company, the policy number, the number of qualifying persons covered by the policy and the amount of premiums paid during the year.**

### Form ND-2 Tax Rate Table

If North Dakota taxable income is:

The tax is equal to:

Over	But not over						
\$ 0	\$ 3,000				2.67%	of the amount on line 1	
3,000	5,000	..... \$	80.10	+	4.00%	of the amount over	\$ 3,000
5,000	8,000	.....	160.10	+	5.33%	of the amount over	5,000
8,000	15,000	.....	320.00	+	6.67%	of the amount over	8,000
15,000	25,000	.....	786.90	+	8.00%	of the amount over	15,000
25,000	35,000	.....	1,586.90	+	9.33%	of the amount over	25,000
35,000	50,000	.....	2,519.90	+	10.67%	of the amount over	35,000
50,000		.....	4,120.40	+	12.00%	of the amount over	50,000



**Line 7 - Other income tax credits**

The following income tax credits are allowed on Form ND-2:

- You may qualify for a credit if you installed a qualifying geothermal, solar, or wind energy device on property you own or lease in North Dakota. The credit is equal to 3 percent of the total cost of acquisition and installation, and the total credit is allowed in each of five tax years beginning with the tax year in which the installation is completed. For information on what qualifies, obtain the brochure *North Dakota Tax Incentives For Solar, Wind, Or Geothermal Devices*. **Attach a statement describing the device, a detailed list of the costs of acquisition and installation, and the date the device was completely installed.**
- If you paid wages to a developmentally disabled or chronically mentally ill employee, you are eligible for a credit equal to 5 percent of the first \$6,000 of wages paid during the first twelve months of employment. In any tax year, the credit must be calculated on the wages paid during the tax year. The amount of the credit allowed in any tax year is limited to 50 percent of the tax on line 2. **Attach a statement showing the name and social security number of the employee, the start date of employment, and amount of wages paid during the tax year.**
- If you paid for the cost of care of a family member to prevent the placement of the family member in a long-term care facility, you may be eligible for a credit. Obtain **Schedule FC** for details. **Attach a copy of Schedule FC.**
- If you qualified for a tax credit under the North Dakota Renaissance Zone Act, enter the amount from Schedule RZ, Part 6, line 6. **Attach a copy of Schedule RZ.**

- If you invested in a qualified business for purposes of the agricultural commodity processing facility investment credit under N.D.C.C. ch. 57-38.6, you may be eligible for a credit. The qualified business is required to provide you with an investment reporting form that verifies the investment and explains how to calculate the credit. **Attach a copy of the investment reporting form.**

**Lines 8, 9, 10, and 11 - Venture capital investment credits**

Credits are available for making an investment in any of the following:

- **Line 8**—North Dakota venture capital corporation formed under N.D.C.C. ch. 10-30.1.
- **Line 9**—North Dakota Small Business Investment Company (SBIC) formed under N.D.C.C. ch. 10-30.2.
- **Line 10**—Certified nonprofit development corporation formed under N.D.C.C. § 10-33-124.
- **Line 11**—Qualified business for purposes of the seed capital investment credit under N.D.C.C. ch. 57-38.5.

If you invested in any of the above entities, the entity is required to give you an investment reporting form that verifies the investment and explains how to calculate the credit. Enter the credit on the applicable line. **Attach a copy of the applicable investment reporting form.**

**Line 17 - Application of overpayment to next year's estimated tax**

If you have an overpayment on line 16, you may elect to apply part or all of it to your 2004 estimated tax. If you make this election, you may not change the election or the amount you applied after you file your return.

**Lines 18 and 19 - Voluntary contributions**

If you have an overpayment on line 16, you may make a voluntary contribution of part or all of your overpayment to the

Watchable Wildlife Fund or the Trees For North Dakota Program Trust Fund (or both) by entering on the applicable line the amount you wish to contribute. If contributing, you must contribute at least \$1.00. A contribution will reduce your refund.

**Lines 22 and 23 - Voluntary contributions**

If you have a tax due on line 21, you may make a voluntary contribution to the Watchable Wildlife Fund or the Trees For North Dakota Program Trust Fund (or both) by entering on the applicable line the amount you wish to contribute. If contributing, you must contribute at least \$1.00. A contribution will increase your balance due.

**Line 24 - Balance due**

The balance due (including the amount, if any, from line 25) must be paid in full with your return. Make your check or money order payable to "ND State Tax Commissioner." A late payment is subject to penalty and interest charges—see **Penalty and interest** on page 6.

**Pay by credit card.** You may pay your balance due by credit card. To do so, go to Link2Gov Corporation's web site at **www.ndtaxpayment.com** or call them toll-free at 1-888-ND-TAXES (1-888-638-2937).

**Line 25 - Interest on underpaid estimated tax**

If you were required to pay estimated North Dakota income tax for 2003, but you did not pay enough or you paid it late, interest is charged on the underpayment or late payment. To determine if you owe interest, obtain and complete Form 400-UT. An amount on this line will reduce your refund or increase your balance due. If lines 16 and 21 are zero, and the amount on this line is at least \$5.00, you must pay the amount with your return. **If you enter an amount on this line, attach a copy of Form 400-UT.**



## School district codes

- If you were a **full-year resident** or **part-year resident** of North Dakota, find the code number for the school district in which you resided during the 2003 tax year. Enter the number in the box at the top of Form ND-2.
- If you were a **full-year nonresident**, enter the number 54-000 in the box at the top of Form ND-2.

School District Address	School District	Code No.	School District Address	School District	Code No.	School District Address	School District	Code No.				
Adams	ND	Adams 128	50-128	Gwinner	ND	N Sargent 3		41-003	Oberon	ND	Oberon 16	03-016
Alexander	ND	Alexander 2	27-002	Hague	ND	Bakker 10		15-010	Page	ND	Page 80	09-080
Almont	ND	Sims 8	30-008	Halliday	ND	Halliday 19		13-019	Park River	ND	Park River 78	50-078
Amidon	ND	Central Elem. 32	44-032			Twin Buttes 37		13-037	Parshall	ND	Parshall 3	31-003
Anamoose	ND	Anamoose 14	25-014	Hankinson	ND	Hankinson 8		39-008	Pembina	ND	Pembina 1	34-001
Ashley	ND	Ashley 9	26-009	Harvey	ND	Harvey 38		52-038	Pettibone	ND	Pettibone-Tuttle 11	22-011
Baldwin	ND	Baldwin 29	08-029	Hatton	ND	Hatton 7		49-007	Pingree	ND	Pingree-Buchanan 10	47-010
Beach	ND	Beach 3	17-003	Hazelton	ND	Haz-Mof-Brad 6		15-006	Pollock	SD	Union 12	15-012
Belcourt	ND	Belcourt 7	40-007	Hazen	ND	Hazen 3		29-003	Powers Lake	ND	Powers Lake 27	07-027
Belfield	ND	Belfield 13	45-013	Hebron	ND	Hebron 13		30-013	Ray	ND	Nesson 2	53-002
Berthold	ND	Lewis and Clark 161	51-161	Hettinger	ND	Hettinger 13		01-013	Rhame	ND	Rhame 17	06-017
Beulah	ND	Beulah 27	29-027	Hillsboro	ND	Hillsboro 9		49-009	Richardton	ND	Richardton-Taylor 34	45-034
Binford	ND	Midkota 7	20-007	Hoopole	ND	Valley 12		34-012	Robinson	ND	Robinson 14	22-014
Bisbee	ND	Bisbee-Egeland 2	48-002	Hope	ND	Hope 10		46-010	Rock Lake	ND	N Central 28	48-028
Bismarck	ND	Bismarck 1	08-001	Hunter	ND	Northern Cass 97		09-097	Rogers	ND	N Central 65	02-065
		Naughton 25	08-025	Hurdsfield	ND	Pleasant Valley 35		52-035	Rolette	ND	Rolette 29	40-029
		Apple Creek 39	08-039	Inkster	ND	Midway 128		18-128	Rolla	ND	Mt. Pleasant 4	40-004
		Manning 45	08-045	Jamestown	ND	Jamestown 1		47-001	Roseglen	ND	White Shield 85	28-085
Bottineau	ND	Bottineau 1	05-001	Kenmare	ND	Kenmare 28		51-028	Rugby	ND	Rugby 5	35-005
Bowbells	ND	Bowbells 14	07-014	Kensal	ND	Kensal 19		47-019	Sawyer	ND	Sawyer 16	51-016
Bowman	ND	Bowman 1	06-001	Killdeer	ND	Killdeer 16		13-016	Scranton	ND	Scranton 33	06-033
		Sheets 14	44-014	Kindred	ND	Kindred 2		09-002	Selfridge	ND	Selfridge 8	43-008
Buxton	ND	Central Valley 3	49-003	Kulm	ND	Kulm 7		23-007	Sheldon	ND	Sheldon 2	37-002
Calvin	ND	Border Central 14	10-014	Lakota	ND	Lakota 66		32-066	Sherwood	ND	Sherwood 2	38-002
Cando	ND	Southern 8	48-008	LaMoure	ND	LaMoure 8		23-008	Sheyenne	ND	Sheyenne 12	14-012
Carrington	ND	Carrington 10	16-010	Langdon	ND	Langdon 23		10-023	Sidney	MT	Earl 18	27-018
Carson	ND	Roosevelt 18	19-018	Lankin	ND	Lankin 39		50-039			Bowline Butte 19	27-019
Cartwright	ND	Horse Creek 32	27-032	Lansford	ND	Lansford 35		05-035	Solen	ND	Solen 3	43-003
Casselton	ND	Central Cass 17	09-017	Larimore	ND	Larimore 44		18-044	South Heart	ND	South Heart 9	45-009
Cavalier	ND	Cavalier 6	34-006	Leeds	ND	Leeds 6		03-006	Spiritwood	ND	Spiritwood 26	47-026
Center	ND	Center 18	33-018	Lidgerwood	ND	Lidgerwood 28		39-028	St. Anthony	ND	Little Heart 4	30-004
Colfax	ND	Richland 44	39-044	Lignite	ND	Burke Central 36		07-036	St. John	ND	St. John 3	40-003
Cooperstown	ND	Griggs County		Linton	ND	Linton 36		15-036	St. Thomas	ND	St. Thomas 43	34-043
		Central 18	20-018	Lisbon	ND	Lisbon 19		37-019	Stanley	ND	Stanley 2	31-002
Crosby	ND	Divide County 1	12-001	Litchville	ND	Litchville-Marion 46		02-046	Stanton	ND	Stanton 22	29-022
Des Lacs	ND	United 7	51-007	Maddock	ND	Maddock 9		03-009	Starkweather	ND	Starkweather 44	36-044
Devils Lake	ND	Devils Lake 1	36-001	Mandan	ND	Mandan 1		30-001	Steele	ND	Steele-Dawson 26	22-026
Dickinson	ND	Dickinson 1	45-001			Sweet Briar 17		30-017	Sterling	ND	Sterling 35	08-035
Dodge	ND	Dodge 8	13-008	Mandaree	ND	Mandaree 36		27-036	Strasburg	ND	Strasburg 15	15-015
Drake	ND	Drake 57	25-057	Mantador	ND	Mantador 5		39-005	Surrey	ND	Surrey 41	51-041
Drayton	ND	Drayton 19	34-019	Manvel	ND	Manvel 125		18-125	Sykeston	ND	Sykes 39	52-039
Dunseith	ND	Dunseith 1	40-001	Mapleton	ND	Mapleton 7		09-007	Tappen	ND	Tappen 28	22-028
Edgeley	ND	Edgeley 3	23-003	Marmarth	ND	Marmarth 12		44-012	Thompson	ND	Thompson 61	18-061
Edinburg	ND	Edinburg 106	50-106	Max	ND	Max 50		28-050	Tioga	ND	Tioga 15	53-015
Edmore	ND	Edmore 2	36-002	Mayville	ND	May Port CG 14		49-014	Tower City	ND	Maple Valley 4	09-004
Elgin	ND	Elgin-New Leipzig 49	19-049	McClusky	ND	McClusky 19		42-019	Towner	ND	TGU 60	25-060
Ellendale	ND	Ellendale 40	11-040	McVile	ND	Dakota Prairie 1		32-001	Trenton	ND	Eight Mile 6	53-006
Emerado	ND	Emerado 127	18-127	Medina	ND	Medina 3		47-003	Turtle Lake	ND	Turtle Lake-	
Enderlin	ND	Enderlin 22	37-022	Medora	ND	Billings Co. 1		04-001			Mercer 72	28-072
Fairmount	ND	Fairmount 18	39-018	Menoken	ND	Menoken 33		08-033	Tuttle	ND	Tuttle-Pettibone 20	22-020
Fairview	MT	Yellowstone 14	27-014	Milnor	ND	Milnor 2		41-002	Underwood	ND	Underwood 8	28-008
Fargo	ND	Fargo 1	09-001	Minnewaukan	ND	Minnewaukan 5		03-005	Valley City	ND	Valley City 2	02-002
Fessenden	ND	Fessenden-Bowden 25	52-025	Minot	ND	Minot 1		51-001	Velva	ND	Velva 1	25-001
Finley	ND	Finley Sharon 19	46-019			Nedrose 4		51-004	Verona	ND	Verona 11	23-011
Flasher	ND	Flasher 39	30-039			Bell 10		51-010	Wahpeton	ND	Wahpeton 37	39-037
Fordville	ND	Fordville 79	50-079			Eureka 19		51-019	Walhalla	ND	Walhalla 27	34-027
Forman	ND	Sargent Central 6	41-006			S Prairie 70		51-070	Warwick	ND	Warwick 29	03-029
Ft. Ransom	ND	Ft. Ransom 6	37-006			Air Force Base 160		51-160	Washburn	ND	Washburn 4	28-004
Ft. Totten	ND	Ft. Totten 30	03-030	Minto	ND	Minto 20		50-020	Watford City	ND	McKenzie Co 1	27-001
Ft. Yates	ND	Ft. Yates 4	43-004	Mohall	ND	Mohall 9		38-009	West Fargo	ND	West Fargo 6	09-006
Gackle	ND	Gackle-Streeter 56	24-056	Montpelier	ND	Montpelier 14		47-014	Westhope	ND	Westhope 17	05-017
Garrison	ND	Garrison 51	28-051	Mott	ND	Mott-Regent 1		21-001	Wildrose	ND	Wildrose-Alamo 91	53-091
Glen Ullin	ND	Glen Ullin 48	30-048	Munich	ND	Munich 19		10-019	Williston	ND	Williston 1	53-001
Glenburn	ND	Glenburn 26	38-026	Napoleon	ND	Napoleon 2		24-002			New 8	53-008
Golden Valley	ND	Golden Valley 20	29-020	Neche	ND	Neche 55		34-055	Wilton	ND	Montefiore 1	28-001
Golva	ND	Lone Tree 6	17-006	New England	ND	New England 9		21-009	Wimbledon	ND	Wimbledon-	
Goodrich	ND	Goodrich 16	42-016	New Rockford	ND	New Rockford 1		14-001			Courtenay 82	02-082
Grafton	ND	Grafton 3	50-003	New Salem	ND	New Salem 7		30-007	Wing	ND	Wing 28	08-028
		Nash 51	50-051	New Town	ND	New Town 1		31-001	Wishek	ND	Wishek 19	26-019
Grand Forks	ND	Grand Forks 1	18-001	Newburg	ND	Newburg-United 54		05-054	Wolford	ND	Wolford 2	35-001
		Air Force Base 140	18-140	Northwood	ND	Northwood 129		18-129	Wyndmere	ND	Wyndmere 42	39-042
Grenora	ND	Grenora 99	53-099	Oakes	ND	Oakes 41		11-041	Zeeland	ND	Zeeland 4	26-004

## ✓ Please Support “Trees for North Dakota” ✓ Consider Contributing to the Income Tax Check-Off

Donations to the “Trees for North Dakota” trust fund help emphasize the role the cottonwoods played in the Lewis and Clark Expedition and raise awareness about the benefits these trees provide today and plant new trees for future generations.

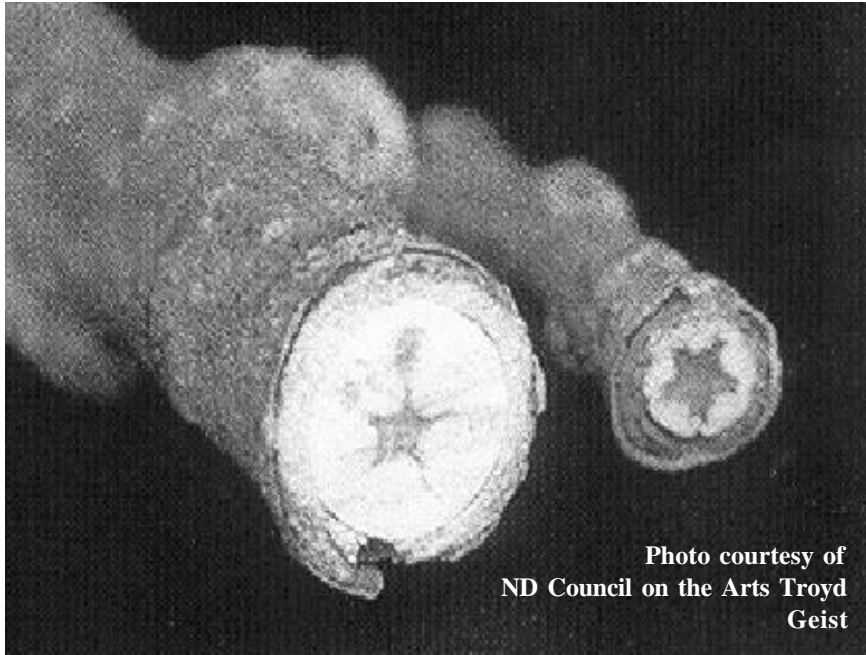


Photo courtesy of  
ND Council on the Arts Troyd  
Geist

### The Star in the Cottonwood Tree

Inside the cottonwood trunk and each branch is a star. According to Native American storyteller Mary Louise Defender Wilson,

*“A curious star hid in the cottonwood tree, so it could always be near the people on earth and listen to their beautiful music...the laughter and kind words they say to one another.”*

Makoche Recording Company and the North Dakota Council on the Arts have recorded

traditional Dakotah stories told by Defender Wilson on an enhanced compact disk entitled “My Relatives Say.” 1-800-637-6863; [www.makoche.com](http://www.makoche.com).

North Dakota’s cottonwood trees played a vital role in the success of the Lewis and Clark Expedition. The bicentennial provides an opportunity to emphasize their historic importance and to reintroduce the native cottonwood to the landscape. If trees could talk perhaps the 250-300 year-old giant cottonwood in Smith Grove would share this story...

*“I saw a curious sight in the fall of 1804, around October 14. There were strange men struggling in the mud and mosquitoes to drag a large boat up the river with ropes. Two small pirogues (boats) were following it. As they drew closer, I heard the men grumbling about the “Big Muddy” or “Misery River.” The Native Americans called it the Missouri River, and on its banks we cottonwoods have grown for centuries!*

(over)



*It was under my branches this group met and camped with the friendly Hidatsa and Mandan people who lived in the earthlodges. The travelers soon built a fort of cottonwood to protect them from the harsh climate and cold winter winds.*

*The cottonwood forests provided the Native Americans and early American explorers with building materials for tools, lodges and forts. They offered places to hunt and fish for food.*

*Young branches and tender bark provided feed for the horses and medicine for the people. Some of my branches were used for the fires that kept them warm and cooked their food*



*I was there when the Native Americans showed Lewis and Clark how to make dugout canoes from the cottonwoods, but I was too small at the time for them to use. The canoes they made were much easier to navigate and portage than the bulky keelboat. When they headed West, thirty-one men, plus Sacagawea and her son, Jean Baptiste, left in two piroques and six dugout canoes!*

*They were gone so long, I had a notion they were dead. But, I saw them briefly again on August 17, 1806. Their journey to trace the Missouri River to its source and find the Pacific Ocean was accomplished. In my opinion, the cottonwoods contributed more to the success of the Expedition than any other tree!"*

Today, only 66 miles of the native cottonwood forests remain along the Missouri River. A small grove of cottonwoods 250-350 years old, that Lewis and Clark camped near, still remain at Smith Grove Wildlife Management Area south of Washburn. These gigantic trees have been accepted into the "National Register of Historic Trees" and connect 21<sup>st</sup> Century Americans to the 19<sup>th</sup> Century Lewis and Clark Expedition via the living bridge of ancient trees.

***To contribute, consult your tax accountant or enter a voluntary contribution on the 2003 North Dakota Individual Income Tax Return. On Form ND-1, look for Line 30 on an overpayment return and Line 34 on a tax due return. On Form ND-2, use Line 19 on an overpayment return and Line 23 on a tax due return.***

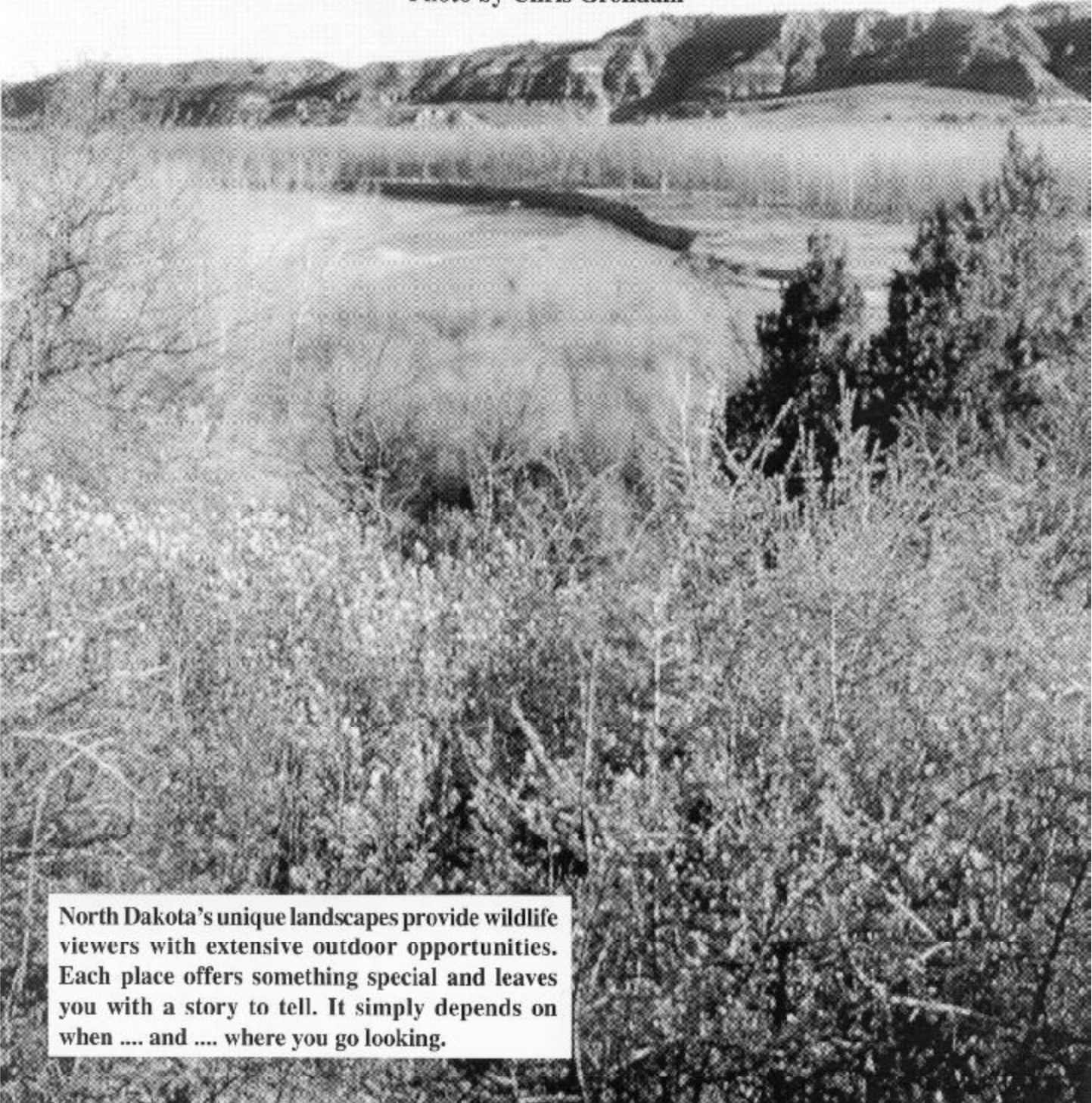


**For more information contact:  
NORTH DAKOTA FOREST SERVICE  
307 First Street East  
Bottineau ND 58318-1100  
Tel: (701) 228-5422 Fax: (701) 228-5448  
[www.state.nd.us/forest](http://www.state.nd.us/forest)**



Help Promote and Develop Watchable Wildlife  
Opportunities in North Dakota  
Contribute to the  
**Watchable Wildlife Fund**

Photo by Chris Grondahl



North Dakota's unique landscapes provide wildlife viewers with extensive outdoor opportunities. Each place offers something special and leaves you with a story to tell. It simply depends on when .... and .... where you go looking.

Support North Dakota's

# Watchable Wildlife Fund

To contribute, see your state tax form  
or consult your tax preparer.

## Your Contributions Have Helped Fund:

- Outdoor Wildlife Learning Sites (OWLS)
- Bluebird Conservation Workshops and Bluebird Trails
- Cross Ranch State Park Nature Center
- Nursing Home Bird Feeder Project in Over 100 ND Communities
- Endangered Species Habitat Protection Projects
- Outdoor and Wildlife Photography Workshops
- Wildlife Viewing Guides for North Dakota
- Grants to Scouts and Other Civic Organizations for Wildlife Projects
- Watchable Wildlife Workshops
- Educational Wildlife Programs to Schools and Communities
- Grants to Wildlife Rehabilitators
- Winter Bird Feeding Survey and Workshops

The Watchable Wildlife Fund is a program of the North Dakota Game and Fish Department. All contributions are tax deductible.

For more information, contact:  
North Dakota Game and Fish Department  
100 N. Bismarck Expressway  
Bismarck, ND 58501  
701 328 6300



# How to assemble your return

To assist us in processing your return as efficiently as possible, please assemble your documents in the order shown in the list below.

1. Form ND-2.
2. Schedule 3, if required.
3. Schedule 4, if required.
4. All other official North Dakota schedules and forms required to be attached (except Form 101).
5. Form W-2s and Form 1099s.
6. Copy of federal tax return.
7. Supporting statements required in instructions.
8. Copy of other state's return, if attaching Schedule 4.
9. Copy of federal extension form or Form 101, if applicable.

Staple all attachments to the top center of Form ND-2.  
Enclose your check or money order made payable to:  
**ND State Tax Commissioner.** Do not send cash.

# Before mailing . . .

- Make sure that you entered your name, correct mailing address, and social security number on the return. If married, include your spouse's social security number.
- Double-check your math.
- Make sure you included all of your Form W-2s and any Form 1099 showing North Dakota income tax withheld.
- Check to see that all required schedules and supporting statements are included.
- Enclose a complete copy of your federal tax return—see **Copy of federal return** on page 6.
- Sign your return. If filing a joint return, your spouse also must sign. **IMPORTANT:** Any return missing a signature will be returned to the taxpayer.
- Use adequate postage.
- Make a copy of the return for your records.



## Filing Tip:

*Make sure you sign your return. If you and your spouse are filing jointly, both of you must sign. And, if you paid someone to prepare your return, make sure the preparer signs the return too.*

## Need help with your federal return?

If you need federal tax forms, have federal tax questions, or would like to find out where you can find IRS walk-in services, you may contact the IRS in one of the following ways.

### Telephone assistance (toll free)

- **Federal tax questions** ..... **1-800-829-1040**  
**TTY/TDD** ..... **1-800-829-4059**

Call this number if you have a question about your federal tax return or an IRS notice, need a transcript or copy of your federal return, or have questions on other federal tax matters.

- **Ordering forms and publications** ..... **1-800-829-3676**

Call this number to order federal tax forms and informational publications.

- **Recorded tax and refund information** ... **1-800-829-4477**

Call this number to listen to pre-recorded information on a wide variety of federal tax topics or to check the status of your federal income tax refund. Please allow at least 4 weeks after you file your return (3 weeks if you filed electronically) before calling about the status of your refund, and be sure to have your social security number, filing status, and exact whole-dollar amount of your refund available when you call.

### Web site

Access the IRS's Web site 24 hours a day, 7 days a week ..... **www.irs.gov**

### Walk-in service

In North Dakota, IRS walk-in services are available Monday through Friday, 8:30 a.m. to 4:30 p.m. (*except as noted*), at the following locations:

**Bismarck** (*closed 11 a.m.-12 noon*)  
Kirkwood Bank & Trust Building  
2911 N 14th Street  
(*next to Space Aliens restaurant*)

**Fargo**  
Federal Building  
Room 470  
657 2nd Avenue North

**Grand Forks** (*closed 11 a.m.-12 noon*)  
Federal Building  
Room 137  
102 North 4th Street

**Minot** (*closed 11 a.m.-12 noon*)  
305 17th Avenue SW  
(*behind Hollywood Video store*)

# Need forms or assistance?

If you need a North Dakota form or schedule not included in this booklet, or if you have a question about preparing your North Dakota return . . .

## Call

Questions: (701) 328-1032

Forms: (701) 328-3450

If speech or hearing impaired,  
call us through Relay North Dakota: 1-800-366-6888

## Visit our Web site

On our Web site, you will find the following resources:

- Tax forms
- Income tax guidelines
- Electronic filing information
- Income tax statutes
- Calendar of due dates, public meetings, and workshops
- Press releases
- On-line message service

Our Web site address is:

**[www.ndtaxdepartment.com](http://www.ndtaxdepartment.com)**

## Come in to see us

Stop in to see us in person at our main office in Bismarck.  
You will find us in the—

Individual Income Tax Section  
State Capitol, 16th Floor  
Monday through Friday  
8:00 a.m. to 5:00 p.m.

## Write

Office of State Tax Commissioner  
600 E. Boulevard Ave., Dept. 127  
Bismarck, ND 58505-0599

## E-mail us

Request forms, ask us a question, or send a message to us  
via e-mail. Our address is:

**[individualtax@state.nd.us](mailto:individualtax@state.nd.us)**

Or go to our Web site at:

**[www.ndtaxdepartment.com](http://www.ndtaxdepartment.com)** (click on **contact us**)

## Fax

You may fax your request or question to (701) 328-1942.

## Need a copy of your return or other information?

To obtain a copy of your return or information about your estimated tax payments, etc., you must submit a written request (by mail or fax) to our office. Include the following items in your request:

- Your name(s) and current address.
- Your social security number(s).
- Daytime telephone number.
- Description of the information desired.
- Tax year(s) involved.
- Your signature(s).

Our mailing address and fax number are shown above.

## Want to check the status of your refund?

If you did not use direct deposit, you may check the status of your refund by calling **(701) 328-3450**, or by e-mailing us at **[individualtax@state.nd.us](mailto:individualtax@state.nd.us)**. If you direct deposited your refund, contact your bank first to see if your refund has been deposited into your account before contacting us. If you contact us, you'll need to provide the following information:

- Your name (Include spouse's name, if joint return).
- Your social security number (Include spouse's SSN, if joint return).
- Your filing status from your return.
- **Exact** amount of refund shown on return.
- Tax year.

The above information must match our records or no information will be released. ***Allow 6 weeks after filing your return before contacting us about your refund.***